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TO MR. PEEL.

*On the Game Laws, and their
consequences.*

Kensington, March 25, 1823.

SIR,

I ADDRESS myself to you upon this occasion, first, because you are a Member of the Committee, now sitting to inquire into the state and effect of the Game Laws; and, second, because you appear to me to be fully sensible of the importance of the subject. Indeed, it would be to suppose you a most unfeeling man, if I could suppose you capable of remaining unshocked at what you behold; that is to say, at the sight of so many hundreds of Englishmen dragged to prison, and so many thousands of women and children reduced to pauperism; at the sight of so many families plunged into mourning by the transporting or the hanging of husbands, sons,

brothers and friends: and all for what? Let those answer who have passed and who uphold these laws! Another reason for my addressing myself to you, is, that you, as Secretary of State, must have an intimate knowledge of the nature and extent of the evils. You have an immediate mastership over the Police establishment. This establishment, as the law imports, was for the purpose of detecting and preventing crimes in the Metropolis. To what a pass are we come, then, when we almost daily read of this police being employed to preserve the game? What reflections must it awaken in the mind of any man in your situation, when police officers are stated, in the public prints, to have been employed to go and worm themselves into the confidence of poachers, in order to insure their detection and punishment! Are the pleasures, the mere sports, of the few, of the very few, to be provided for at a price like this; and is this price, too, to be paid by the public at large; paid for the far

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greater part, by those who are punishable if they have a head of game in their possession.

The injustice of the game laws has long been matter of complaint; but it was not until the reign of the late King began, that these laws began to put on their present sanguinary garb. Sufficiently capricious were they before, and sufficiently oppressive; sufficiently hostile to justice and to freedom; but still they were mild indeed, compared to what they are at this day. They have gone on steadily increasing in severity, till, at last, they are as severe, and, indeed, more severe than they were in France previous to the revolution; and you know that they formed in that country one of the great grounds of complaint of the oppressed and tyrannised people of France, who demanded their destruction as a thing absolutely necessary to the peace of the country. Great numbers of persons used to be punished annually in France for the transgression of the game laws, but nothing, in point of number, to those who are now punished annually in England, while the severity of the punishment was, under the old government of France (when we were taught to believe that the people

were slaves,) nothing to be compared with that severity which is now exercised in Sir JAMES MACKINTOSH'S "Classic ground of Liberty." At this day the French people are wholly free from those horrible laws. They no longer see poor creatures made galley slaves for the sake of preserving the means of sport to the few. This fact alone is sufficient to awaken very serious reflections; and I state it with a view of producing that effect.

From the moment that the law, the terrible law, of 1816 passed, I have been endeavouring, as often as opportunity afforded, to bring the subject before the people, and in such a way as appeared to me calculated to produce effect. The hanging of the two men last year at Winchester called forth a letter from me to the landlords. I had, frequently before that, remarked on the laws which had been made relative to the game; but in that letter I told the landlords, that, seeing what I saw in the game laws, it pleased me to see them in a fair way of *losing their estates*. About two months ago, speaking of these game laws; and particularly of the terrible law of 1816, which was again hardened by another law in 1817; speaking of this law,

I said (about two months ago,) that if no other man in England was found to do it, I myself would petition the Parliament for a repeal of this terrible law. This I said in print; and that which I should have stated in my petition to the Parliament, I will now state to you.

All these laws are in direct violation of the natural rights of mankind, except in as far as they give *civil redress for trespass*. In all other respects they are a violation of the natural rights of the people. Many other natural rights are taken from the people; and must be taken from them for the general harmony and good; but here it is not the *general good* which is the object sought for: it is the mere pleasure, the mere *sport* of the *few*, of the very *very few*, that is the object, to the *exclusion* of all the rest of the community; while all the rest of the community are compelled to bear their full proportion of all the enormous expenses of those very laws by which they are excluded from all participation in the benefit of the thing which those laws are intended to secure to the few.

BLACKSTONE states distinctly that, "with regard likewise to wild animals, *all mankind had by the original grant of the*

Creator a right to pursue and take away any fowl or insect of the air, any fish or inhabitant of the waters, and any beast or reptile of the field: and this natural right still continues in every individual, unless where it is restrained by the civil laws of the country. And when a man has once so seized them, they become, while living, his qualified property; or, if dead, are absolutely his own: so that to steal them, or otherwise invade this property, is, according to the respective values sometimes only a civil injury."

This is too plainly written in the heart of every man for him not to feel indignant at the idea of his being deemed a *criminal* if he pursue and take wild animals. Every man knows that the appropriating of these animals to the sole use of the few can never be necessary to the peace or the safety of the country. Every man must know that such appropriation cannot be conducive to morals, to religion, or to national happiness; every man must, in short, know that any laws that may be passed to secure such appropriation, cannot be laws made for the general good. "By the common law, a property in those living creatures, which by reason of

“ their swiftness or fierceness were
 “ not naturally under the power
 “ of man, was *gained by the mere*
 “ *caption or seizure of them.*”—
 Thus is it stated by JACOB in his
 Law Dictionary. “ But then,”
 says he, “ by this toleration per-
 “ sons of *quality and distinction*
 “ were deprived of their *recrea-*
 “ *tions and amusements*; and it
 “ was thought necessary to make
 “ laws for preserving the game.”

Here, then, we have the cause
 of these game laws. It is not,
 we see, the good of the country;
 its peace, its safety, or its honour;
 but the object is that persons of
 quality or distinction should not be
 deprived of their *recreations and*
amusements! The object is not
 the benefit of society at large;
 and, for a time, indeed, society
 at large was not put to any very
considerable expense for the pur-
 pose of preserving a thing from
 all share in the benefit of which
 it was excluded; but that is not
 the case *now*. Now the expense
 falls upon the society at large;
 and, leaving all considerations of
 humanity and morality out of
 the question, it is high time, that
 the expense of preserving the
 game should fall exclusively
 upon those to whom the exclu-
 sive enjoyment of the game is
 reserved.

The Common Law knowing
 nothing about a property in wild
 animals, the *Statute Law* was
 brought forward to create such
 property. And of this statute
 law BLACKSTONE speaks in these
 words; and let it be recollected
 that he wrote his book in 1768,
 long before the game code as-
 sumed any thing of its present
 terrible character. “ The *Game*
 “ *Law*, now arrived to, and wanton-
 “ ing in its highest vigour: found-
 “ ed, upon the same unreasonable
 “ notion (as that of the Forest
 “ Law,) and productive of the
 “ same tyranny to the commons:
 “ but with this difference; that
 “ the Forest Law established
 “ only one mighty hunter
 “ throughout the land; the game
 “ laws have raised a little NIM-
 “ ROD in every Manor. And,
 “ in one respect, the ancient
 “ law was much less unreason-
 “ able than the modern; for the
 “ King’s grantee of a chase or
 “ free warren might kill game in
 “ every part of his franchise;
 “ but now, a freeholder of less
 “ than a hundred a year, is for-
 “ bidden to kill a partridge even
 “ upon his own estate.”

It would be tedious to go into an
 examination of all those statutes,
 which BLACKSTONE here de-
 scribes in the mass. The first

of which was passed in the reign of HENRY 7th., and the last of which had been passed in the second year of GEORGE the 3d., just before BLACKSTONE wrote his book. But we have here BLACKSTONE's opinion that this was, even in his time, a very unjustifiable Code of Laws, and "*productive of tyranny to the commons.*" Let us, then, see what the code was at that time; or, at least, to what extent of severity it went.

It imposed divers pecuniary penalties for the keeping of dogs, guns, nets and other things for the destruction of game. It imposed pecuniary penalties for the killing of game, or for the pursuing of game, by unqualified persons. All were unqualified except such as had a hundred pounds a year in freehold, or a hundred and fifty pounds a year in copyhold or leasehold. It subjected to payment of costs, those who might have actions of trespass brought against them, if the trespass were committed after warning. To have game in your possession; to sell game: to buy game; to kill it out of season. All these were subject to pecuniary penalties. According to one of the Acts, offenders by keeping dogs and other things to destroy game, might be sent to

the house of correction for three months.

This was the state of the law, previous to the reign of the late King; and if this was "*tyranny to the Commons,*" what is the law as it now stands? But let us see how the code has gone on increasing in severity. This increase began almost as soon as the late King came to the throne. There are altogether six Acts of Parliament passed in his reign, each rising above the other in point of severity; and the last three, taken in conjunction with what has been generally called, the *Cutting and Maiming Act*, really amounting to something, which, in point of severity, *far surpasses the game laws of France*, which the people complained of, as being absolutely insupportable, and of which ARTHUR YOUNG gives so horrible a description.

The first of these Acts was passed in the second year of the late King's reign, (chap. 19.); that is to say, in the year 1761. This Act abridged the season in which partridges might be killed by qualified persons. But the main object of this Act appears to have been to *render the recovery of the penalties more easy*, and to give *greater encouragement to informers*. Before the

passing of this Act, one half of the penalty, when recovered, went to the poor of the parish, and the other half to the informer. This was found to prevent inhabitants of the parish from being allowed to give evidence against offenders. Therefore, this Act gave *the whole of the penalty to the informer*, in case he chose to sue for it by action of debt; and it also gave him *double costs* in case of recovery. This was a very material alteration of the law; but this was nothing to what was to follow.

The next Act was passed in the tenth year of the late King's reign, (chap. 19.); that is to say, in the year 1770. This Act begins *to lay on the lash*. It enacts that if any one kill game of any sort, or use any gun, dog, snare, net, or other engine for that purpose, between an hour after sunset, and an hour before sunrise, and shall be convicted of it, by one witness before one justice of the peace, he shall be imprisoned in the common jail or house of correction, for any time not more than *six months* and not less than three. For a second offence, for not more than *twelve months* and not less than six; and that, within three days from the time of his commitment, either for the first or any other offence, he shall be once

publicly whipped, in the town where he shall be imprisoned, between the hours of twelve and one of the clock of the day! This same Act imposes a penalty of not more than *thirty* and not less than *twenty pounds* on any one that shall, on a *Sunday*, kill game or use engines for that purpose. The penalty, if not instantly paid, is to be levied by distress and sale of the offender's goods; and if he have no goods to distrain upon, or not sufficient, he is to be committed to the jail or house of correction, for any time not exceeding six months and not less than three. The prosecuted party may appeal to the Quarter Sessions; but he must give notice of his appeal in writing; he must give bail for the payment of such costs as shall be awarded by the justices; and then the justices are to determine finally and in the last resort; and no order or other proceedings are to be quashed for *want of form*; and there is to be *no power of removing the cause so as to bring it before the Judges*. It is hard to conceive what any game preserver could ask for *more than this*. Here is punishment much more severe than for many felonies. Here is the penalty of paying money, of imprisonment, of public whipping.

I imagine that such a thing as this had been seldom thought of before. Yet, very far indeed was this from being enough to satisfy the game gentry of England.

The next Act was passed in the 39th and 40th year of GEORGE the Third; (Chap. 50.) that is to say, in the year 1800. This Act seems to have been the first step in that career, which was consummated in the act of 1817. One would have thought that experience of the effect, of severity would have had some effect in the preventing of its increase. Yet, this new Act sets out with these words: "Whereas idle and disorderly persons frequently assemble and associate themselves to support and assist each other in the destruction of game in the night, and are, if interrupted, guilty of great violence by shooting, maiming, and beating, to the great terror of His Majesty's subjects, and to the encouragement of idleness and immorality; and such practices are found by experience to lead to the commission of crimes and felonies." This Act supplies the punishments of rogues and vagabonds, and of incorrigible rogues; it applies all the pains and punishments allotted to these in the Act

of Parliament, Chap. 5. of the 17th year of GEORGE 2d, which was passed in 1744; it applies all these pains and penalties to persons to the number two or more, found in the night in any forest, chase, park, wood, plantation, paddock, field, meadow, or other open or enclosed ground, having any gun, net, engine, or other instrument with the intent to destroy, take or kill game; or, found with gun, fire-arms, bludgeon, or with any other offensive weapon, protecting, aiding, abetting, or assisting any such persons as aforesaid. In this Act, keepers, servants and other persons are to seize and apprehend the offenders! This appears to be the first time that authority was given for such seizure upon the spot, and without warrant. The penalties inflicted on rogues and vagabonds, and on incorrigible rogues, are those of imprisonment with hard labour; and in case of an incorrigible rogue, imprisonment for two years, with whipping. The justices might, if the offender was above twelve years of age, sentence him to the land or sea service; and if an incorrigible rogue escaped from the House of Correction he was to be transported for any length of time not exceeding seven years.

When men were liable to punishments like these, for attempting to kill hares, pheasants, and partridges, little wonder was it that they endeavoured to escape the punishment by *resisting those* who attempted to apprehend them. Next, therefore, it became necessary to have a law to *prevent them from resisting!* And now came the terrible law which has furnished such a melancholy list for the gallowses of England.

This Act is chap. 58 of the 43d year of George 3d., and it was passed *three years after* the passing of the last-mentioned act. This Act was brought in by the *late Ellenborough*; and it generally goes by his name. It made a total alteration in the law of England. It made that law, beyond all description, *more severe than it was before*. It was a real innovation. It is not called a *Game Law*; but it came to co-operate with tremendous effect in company with the law last mentioned. That last mentioned law made a beginning in producing the *fights between game-keepers*, and those who are denominated poachers. It authorised the *seizing* of the persons of the latter by the former, *without warrant* previously obtained. It brought the

parties into direct personal conflict. That law had made it criminal to be out in the night in pursuit of game; it had attached most dreadful punishments to the crime; it had authorised game-keepers and others to seize the parties; and this new law about cutting and maiming; and shooting at, and presenting and pointing and levelling fire-arms; this new law, making it *death* to do these things, *in resisting the lawful operations of the keepers*; this new law, I say, came in and co-operated most efficiently with the law last cited. This new law says nothing about *game* in any part of it; but it says this, that "If any
" person or persons shall wilfully, maliciously, and unlawfully
" shoot at any of His Majesty's
" subjects, or shall wilfully, maliciously, and unlawfully present,
" point, or level any kind of loaded
" fire-arms at any of His Majesty's
" subjects, and attempt, by drawing a trigger, or in any other
" manner, to discharge the same
" at or against his or their person or persons, or shall wilfully, maliciously, and unlawfully stab or cut any of His Majesty's subjects, with intent in
" so doing, or by means thereof, to murder, or rob, or to maim, disfigure, or disable such His

"Majesty's subject or subjects,
 "or with intent to *do some other*
 "*grievous bodily harm* to such
 "His Majesty's subject or sub-
 "jects, or with intent to *obstruct,*
 "*resist, or prevent the lawful ap-*
 "*prehension and detainer* of the
 "persons or persons so stabbing
 "or cutting, or the lawful appre-
 "hension and detainer of any of
 "his, her, or their accomplices
 "for any offences for which he,
 "she, or they may respectively
 "be liable by law to be appre-
 "hended, imprisoned, or detain-
 "ed; then and in such case the
 "persons so offending shall be,
 "and are hereby declared to be
 "FELONS, and shall SUFFER
 "DEATH, as in cases of felony,
 "*without benefit of clergy.*" It
 is impossible to read this without
 looking back at the preamble of
 the Act passed three years before,
 and the preamble of which says,
 that the "game destroyers are, if
 "interrupted, guilty of great vio-
 "lence by *shooting, maiming, and*
 "*beating.*" This same preamble
 says, that such practices lead to
crimes and felonies; and then it
 goes on to the terrible enactments
 about rogues and vagabonds, which
 it required very little discernment
 to perceive would lead to a still
 greater number of *shootings, maim-*
ings and beatings, seeing that now

for the first time, game-keepers
 and servants were authorised to
seize upon the persons of poachers
without warrant from a justice of
 the peace. This was sure to lead
 to personal conflicts; and the law
 must have become of no effect at
 all, or the still more terrible law
 which I have just quoted became
 absolutely necessary. Thus, then,
 the *punishment of death* intro-
 duced itself: by a side wind to be
 sure; but still it introduced itself
 into this conflict for the game. It
 was next to impossible to believe
 that men would surrender without
 resistance; and if they did resist
 by *shooting at, by presenting at,*
 by *pointing at, or by levelling at*
 the gamekeepers; or if they at-
 tempted, by *drawing a trigger,*
 or, in any other manner, to dis-
 charge a gun at a gamekeeper,
with intent to obstruct or prevent
their being apprehended or de-
tained by the gamekeepers, they
 were now made *felons*, and were
 to SUFFER DEATH without
 benefit of clergy! This terrible
 act applies, doubtless, to the cases
 of others as well as to those deno-
 minated poachers; but it so hap-
 pened, I believe, that the very
 first executions; the very first that
 took place under this Act, were, of
four young men in the county of
Norfolk, found guilty of acts of

violence in the resisting of gamekeepers!

Nevertheless, the resistance of gamekeepers proceeded; and in 1816, another Act, chap. 130, year 56 of the last King was passed. This Act began by repealing the former Act which made poachers rogues and vagabonds. It is curious to observe how the preambles of these acts go on increasing in their complaints as to the effect of the practice of poaching. The last Act complained that poachers going out in the night tended to the encouragement of idleness and immorality; and that it was found by experience to lead to the commission of crimes and felonies. It complained that the poachers, *if interrupted*, were guilty of great violence. This new Act begins by declaring that the laws now in force have been found insufficient to prevent idle and disorderly persons from going out in the nighttime armed, for the destruction of game. It next complains that such practices are found by experience to lead to the commission of felonies and murders! It is surprising that nobody seems to have perceived that the mischief went on increasing with the constantly increasing severity of the law. This new Act did away the act about rogues and vagabonds.

The war was now over, and there were no means left of sending the offenders into the military or naval service. It was necessary to provide something equally efficient; or to make a retrograde movement. This new Act, therefore, provided *transportation at once!* However, the act does not appear to have been quite complete enough, and, therefore, the next year, another act was passed.

I am now to speak of the Act which crowned the code; and which stops short of nothing but making the crime a capital felony. But this Act is a thing of too much importance to be described in the words of anybody but those of the law-makers themselves. I shall, therefore, insert it here at full length. The returns laid before Parliament have shown us, that nearly *seventeen hundred men* have been imprisoned under it in one year. *The nation in general know nothing at all of what it is.* It was probably passed without division, debate, or opposition of any kind whatever, though it is a thing of infinitely more importance to the kingdom, of far greater importance *than all the imports and all the exports of a century!* This is the law, for the repeal of which it was my intention to petition. I

have been frequently asked by persons who have confidence in my judgment: "What would you do, now, if you had it in your power to do what you liked? What would you do in order to begin to put things to rights?" I could call a dozen persons to witness that my answer always has been: "The first thing, the very first, I would do should be to repeal the law for the transporting of poachers," and the reason I have given is this, that it is nonsense "to talk of peace and harmony in the country, as long as that law shall remain in existence." It is impossible to read the words of this law and to bear in mind the co-operation of the above-cited law about aiming, pointing, levelling, and attempting to pull a trigger; it is impossible to read this law, taking into view the co-operative effect of the other law without shuddering with horror; and especially when one reflects, that all this is for the purpose of retaining to the exclusive benefit of not one thousandth part of the community the enjoyment of that which nature, which reason, and which the ancient laws of the country declare to be the common property of all men! I shall now, before I go any further, insert this Act, which, as I said before, is a

thing wholly unknown to the country at large; but which ought no longer to be unknown to it, when nearly *seventeen hundred men* are imprisoned under it in one year, and when we reflect on the ruin and misery of wives and children, and all the other mournful consequences attendant on this most truly terrible code.

"An Act for the Prevention of Persons going Armed by Night for the Destruction of Game, and for Repealing an Act made in the last Session of Parliament, relating to Rogues and Vagabonds—[10th July, 1817.]"

"WHEREAS, idle and disorderly persons frequently go armed in the night-time, for the purpose of protecting themselves, and aiding, and abetting, and assisting each other in the illegal destruction of game or rabbits: and whereas such practices are found, by experience, to lead to the commission of felonies and murders: for the more effectual suppression thereof, be it enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, That if any person or persons having entered into

“ any forest, chase, park, wood,
 “ plantation, close, or other open
 “ or enclosed ground, with the in-
 “ tent illegally to destroy, take, or
 “ kill game or rabbits, or with the
 “ intent to aid, abet, and assist
 “ any person or persons illegally
 “ to destroy, take, or kill game or
 “ rabbits, shall be found at night,
 “ that is to say, between the hours
 “ of six in the evening and seven
 “ in the morning from the first day
 “ of *October* to the first day of
 “ *February*, between seven in the
 “ evening and five in the morning
 “ from the first day of *February*
 “ to the first day of *April*, and
 “ between nine in the evening and
 “ four in the morning for the re-
 “ mainder of the year, armed with
 “ any gun, cross-bow, fire-arms,
 “ bludgeon, or any other offensive
 “ weapon, every such person so
 “ offending, being thereof lawfully
 “ convicted, shall be adjudged
 “ guilty of a misdemeanour, and
 “ shall be sentenced to transpor-
 “ tation for seven years, or shall
 “ receive such other punishment
 “ as may by law be inflicted on
 “ persons guilty of misdemeanour,
 “ and as the Court before which
 “ such offenders may be tried and
 “ convicted shall adjudge; and if
 “ any such offender or offenders
 “ shall return into *Great Britain*
 “ before the expiration of the term

“ for which he or they shall be so
 “ transported, contrary to the in-
 “ tent and meaning hereof, he or
 “ they so returning, and being
 “ thereof duly convicted, shall be
 “ adjudged guilty of felony, and
 “ shall be sentenced to transpor-
 “ tation for the term or terms of
 “ his or their natural life or lives.

II. “ And for the more easy
 “ and speedy bringing the of-
 “ fenders against this Act to jus-
 “ tice, be it further enacted, That it
 “ shall and may be lawful to and
 “ for the ranger and rangers, and
 “ to and for the owner and own-
 “ ers, occupier and occupiers of
 “ any such forest, chase, park,
 “ wood, plantation, close, or other
 “ open or inclosed ground, and
 “ also for his, her, or their keeper
 “ and keepers, servant and ser-
 “ vants, and also for any other
 “ person or persons, to seize and
 “ apprehend, or to assist in seiz-
 “ ing and apprehending such of-
 “ fender or offenders by virtue of
 “ this Act, and by the authority
 “ of the same, to convey and de-
 “ liver such offender or offenders
 “ into the custody of a peace offi-
 “ cer, who is hereby authorised
 “ and directed to convey such of-
 “ fender or offenders before some
 “ one of His Majesty's justices
 “ of the peace for the county or

" place where such offence shall
 " be alleged to have been com-
 " mitted ; or in case such offender
 " or offenders shall not be so ap-
 " prehended, then it shall and
 " may be lawful for any such jus-
 " tice, on information before him
 " on the oath of any credible wit-
 " ness or witnesses, to issue his
 " warrant for the apprehension of
 " any such offender or offenders ;
 " and if upon the apprehension of
 " any such offender or offenders
 " it shall appear to such justice,
 " on the oath of any credible wit-
 " ness or witnesses, that the per-
 " son or persons so charged hath
 " or have been guilty of the crime
 " of being found armed at night
 " as aforesaid, it shall and may
 " be lawful for such justice to
 " admit such person or persons so
 " charged to bail, and in default
 " of bail to commit such person
 " or persons to the county gaol
 " until the next general Quarter
 " Sessions of the peace, or the
 " next general commission of gaol
 " delivery, to be holden for the
 " same county or place, there to
 " be tried and dealt with as by
 " this Act is directed ; and if in
 " Scotland, until such person or
 " persons so charged shall be
 " dealt with as any person or
 " persons charged with a trans-
 " portable offence may be dealt

" with according to the law and
 " practice of *Scotland*.

III. " And be it further enacted,
 " That if any person or persons
 " shall after the passing of this
 " Act, unlawfully enter into or be
 " found in any forest, chase, park,
 " wood, plantation, close or other
 " open or inclosed ground at night,
 " according to the provisions of
 " this Act, with respect to what
 " shall be deemed night for the
 " purposes hereof, having any net,
 " engine, or other instrument, for
 " the purpose and with the intent
 " to destroy, take, or kill, or shall
 " wilfully destroy, take, or kill
 " game, it shall and may be law-
 " ful to and for the ranger and
 " rangers, and to and for the owner
 " and owners, occupier and occu-
 " piers of any such forest, chase,
 " park, wood, plantation, close, or
 " other open or inclosed ground,
 " and also for his, her, or their
 " keeper and keepers, servant and
 " servants, and also for any other
 " person or persons, to seize and
 " apprehend, or to assist in seiz-
 " ing and apprehending such of-
 " fender or offenders by virtue of
 " this Act, and by the authority
 " of the same to convey and deli-
 " ver such offender or offenders
 " into the custody of a peace offi-
 " cer, who is hereby authorised

“and directed to convey such offender or offenders before some one of His Majesty’s justices of the peace for the county or place where such offence shall be alleged to have been committed, to be dealt with according to law.”

It is curious enough, that this last Act, includes *rabbits*! what another Act would have included it is hard to say. This last Act introduces at the close of the second clause, the passage relative to *Scotland*. This last Act makes the transportation for seven years *positive*; instead of for *any time not exceeding seven years*. However, these are mere trifles; and only show how the thing has gone on increasing in severity. It follows, from this Act that any man who may go with a gun, or with a bludgeon, that is to say, a *stick*, to kill a rabbit, in the night time, may be at once taken from his family and transported for seven years. The natural consequences of such a law are, that, at first, men will forbear to go out in the night, unless the temptations be very strong. This forbearance will make the game increase in quantity. This increase of quantity in the game creates the temptation

to make an attack upon it; and especially at a time when the agricultural labourers are upon the point of starving. No inconsiderable part of them, able young men, have been living upon *half a crown a week*, during the last winter. A gentleman in Surrey asked a young man who was cracking stones by the road side, how he could live upon half a crown a week. “I don’t live upon it,” said he, “How do you live, then,” “why,” said he, “*I poach*; it is better to be hanged than to be starved to death.” What are we to think then, of a state of things which creates irresistible temptation to do that which it punishes with unrelenting severity?

The preamble of the Act of 1800 talks of the *immorality* which is created by men going out in the night time to kill game. This is a petty plea to put forward for a law which has doubled the number of imprisonments for poaching. *Morality* must be promoted in a delightful manner by sending *seventeen hundred* men in one year to prison. They must come out of that prison with their morals wonderfully mended, while the morals of their wives and children must be greatly benefitted in their absence! If

a thousand of the most ingenious men that ever lived upon the face of the earth had been consulting together all their lifetime to find out a mode of rendering the population of England vicious, they could not have discovered any thing more efficient than these game laws. When the people see men imprisoned for longer periods and punished with greater severity for being in pursuit of hares and pheasants than for committing theft, how are they to retain any particular horror for the committing of theft? Besides their necessities, at this time, compel them to do something to get food. Hunger is constantly pressing them forward, and who is to reason with hunger?

The ill blood created by these game laws is beyond the powers of description. There are no bounds to it. The heart burning is incessant; and incessant it must be as long as this code exist. The exhibition at Winchester last year was a thing not to be forgotten by the people in that county for many years to come. Though I have particularly mentioned it before, I must again repeat it here, in the very words in which the account was published in the county.

"HAMPSHIRE.—The Lent Assizes for this county concluded

"on Saturday morning. The Criminal Calendar contained 58 prisoners for trial, 16 of whom have been sentenced to suffer death, but two only of that number (poachers) were left by the Judges for execution, viz. James Turner, aged 28, for aiding and assisting in killing Robert Baker, gamekeeper to Thomas Asheton Smith, Esq. in the parish of South Tidworth, and Charles Smith, aged 27, for having wilfully and maliciously shot at Robert Snellgrove, assistant gamekeeper to Lord Palmerston, at Broadlands, in the parish of Romsey, with intent to do him grievous bodily harm. The Judge, (Borough) observed, it became necessary to these cases, that the extreme sentence of the law should be inflicted, to deter others, as resistance to gamekeepers was now arrived at an alarming height, and many lives had been lost."

Thus what do we see here? Sixteen persons condemned to death, and the only two who actually suffered death were those who had resisted gamekeepers! These two young men were strongly recommended to mercy by the Jury; but the resistance to gamekeepers was become so frequent,

said the judge, that it was necessary to give the law its *severest enforcement*. Whether the Judge, BORROUGH, uttered the words imputed to him or not, is no matter. The terrible execution took place; and that, too, under the Act, which I have before cited.

It is impossible that peace and good will should exist in the country, while such things are going on. For my part, I am not a poacher nor likely to be one, and I am likely to be personally acquainted with no one ever disposed to expose himself to the effects of this code of laws. But, knowing, as I must, that these laws grow out of the *wishes of the landlords*, I must wish that every inch of property may be transferred from their hands, unless an end be put to this code of laws.

The number of persons for whose sole benefit these laws exist, is a mere nothing compared with that of the whole of the community. They scarcely form a *ten thousandth part* of the community; and were there nothing else to complain of, the injustice of *TAXING* all the rest of the community for the sake of preserving the *sports* of this handful of persons, would be quite sufficient. Here am I, suppose, one of five hundred farmers, tradesmen, and even

landowners. To have a head of game in the possession of either of us is a *crime*; exposes us to a penalty. To attempt to *pursue* game, even upon our own ground is a *crime* that is followed by a penalty. This game is a thing too precious for us to meddle with. Why, then, are we to be *taxed* to pay the expenses of detecting, apprehending, imprisoning, transporting and hanging of poachers? And why, too, are we to be taxed for the support of the wives and children who are made paupers in consequence of the prosecution of poachers?

To maintain the laws, and to pay for the execution of the laws, in general, is reasonable and just; because we *all participate* in their benefit. The laws which punish thieves and robbers are made for the protection of us *all*; but the laws for the preservation of the game are made and exist for the benefit, and the sole benefit, of a few. If, therefore, these laws be still to exist; if punishments be still to go on under these laws; if *seventeen hundred men in a year* be still to be taken from labour, and they and their families be still to be made a burden to the community, the persons for whose sole benefit they are prosecuted, ought to be made to bear the whole of

the expense. The *county-rate*, of the weight of which the landlords so grievously complain in their petitions, ought, at any rate, to be eased of this burden. The *poor-rate* ought also to be eased of the burden. If the game laws, in any thing like their present state, are to be continued, the *expenses* ought to be made to fall on those who have the *exclusive* enjoyment of the game. Many a parish is now put to hundreds a year of *rates* on account of the game of *one man*, who will not suffer the *rate-payers* to look at that game! There ought, therefore, if the present laws remain in force, to be a regulation compelling him, who prosecutes what he calls a *poacher*, to pay all the expense attending his imprisonment and punishment, and to *maintain his wife and children*, while he is in prison or after his *transportation*, or his death by *hanging*. If this be not made law, the people never ought to cease to petition till it be made law. As things now stand, nine hundred and ninety nine thousandths of the people are guilty of crime, if they have in *their possession* one of those *wild animals*, called game. And yet, they are all *taxed* for the purpose of enabling the *thousandth part* to shut them out from this possession!

The Turkish army laid upon the Greeks a tax which it called *tooth money*; that is to say, payment for the *use* of the Turk's *teeth* in eating the *Greek's* *victuals*!

Nor have we yet done with this *Game Code*. It is not the *direct* laws; the laws *called* game laws, which are alone worthy of notice. There are numerous other laws, which are not called *game laws*, which, nevertheless, *belong to the code*. Of these I could point out many; but, at present, I shall content myself with *one*; but, that one is as good as a dozen of some sort of laws. From the first moment of the *French revolution* there was a loud and general *bel-lowing* set up against "*innovation*." The motto of the old Barons, "*Nolumus Leges Angliæ Mutari*," was rung in our ears from morning to night. "*We will not change the laws of England*" was bawled about the streets, till the very jackdaws and magpies learned to repeat it. All the while, however, the *parliament* was at work changing those laws! We have seen how the "*Nolumus Leges*" went on in the case of the direct game laws; and, we will now take a little specimen of an auxiliary or collateral kind. There are *hundreds*, yes, *hundreds* of

Acts, making *great changes* in the laws of England, since the last King came to the throne. A most useful labour it would be to make an analysis of these changes. But, at present, I shall content myself with noticing one, which contains a most *terrible change*.

The Act to which I allude was passed in the first year of the reign of the present King, and is chapter 56 of that year. It was passed on the 15th July 1820; and it made a greater alteration in the laws of England than ever had been made in those laws before by any Act of Parliament. Yet, never did we hear of division, debate, or any one word about the passing of this law. The bustle about the Queen was going on at the time; but nothing could stop for a moment this steady work, this "*Nolumus Leges*" work. I shall insert this Act; for it is true striking; it is too pretty a thing for the people to be ignorant of; and to every ten thousand men in England, except those who wished for such a law to be passed, there is not one man that knows of its existence. I had been a pretty attentive reader of Parliamentary proceedings. I even published, or collected together for publication, the debates during the very Session in which this Act was

passed; and yet never till I heard talk of it in the country the year before last, did I even hear of such an Act of Parliament. This shows how *silently*, how *quietly* the laws of this country may now be changed; and that, too, as we shall presently see, in a most extensive manner, and affecting the personal liberty of almost every man, woman, and child in the country.

Before I insert the Act, let me observe, for the information of the public in general, that, *before the passing of this Act*, those wrongs, which are generally denominated *trespass* or *damage*, were to have a remedy in an *action at law* against the wrongdoer. For instance, if I pull down your fence; if I trample down your crops; if I broke or cut your trees; if I injured your gates, stiles, or buildings, and if there were nothing of felonious intent in my proceedings, I was liable to an *action for damages*. In order to protect men against the spite of others, I was liable to none but my own costs, unless the jury gave damages *above forty shillings*; and I was not liable to any costs at all, if I tendered satisfaction before proceedings in court. Yet, there might be trespass of a very annoying and ma-

licious nature, without forty shillings' worth of damage; and, indeed, without a sixpenny worth of real damage. For instance, I might open your garden gate, walk into it, stroll about your pleasure grounds, and round about your house; I might go into your woods, disturb your game, and otherwise give you a great deal of annoyance: and yet it might be impossible for you to prove that I had done you any real damage. The common law left this matter to itself, however; it gave no damages where no damages had been sustained; but it must be confessed, that it was rather desirable that such wanton intrusion should be prevented. An Act was, therefore, passed, in the reign of WILLIAM and MARY, which, in case of trespass, *after the party had been warned not to trespass*, the trespasser should pay costs, whether the damage amounted to forty shillings, or to one farthing. So that, if I went into your garden or woods, after warning, here was my punishment provided; for it was in your power to sue, and no tender of damages would save me from the costs.

Thus stood the law of England. This was the law of "Old England." For every wrong of this sort there was an adequate remedy.

—Property was made as secure against trespassers as it ought to be made, and as it possibly could be made, leaving to the now proprietors any thing worthy of the name of liberty. Thus stood the law up to the date of the Act which I am now about to insert, and which, as the astounded nation will see, now subjects every human being, guilty of what can be construed into trespass; every human being except (and *mark well the exception!*) persons **ENGAGED IN HUNTING; and QUALIFIED PERSONS IN PURSUIT OF GAME;** which subjects, I say, every other human being in the kingdom, who shall be guilty of any little thing deemed a trespass, to be seized hold of, to be dragged before a justice, to be *compelled to pay immediately* what the justice shall award, or to be sent by such justice, without any further ceremony, to jail and to hard labour; and, in case of a boy under sixteen years of age, bodily correction is to be given into the bargain! But, oh! Englishmen! look, I pray you, at the sixth clause of this Act. With this preface I insert the Act.

—
"An Act for the summary punishment, in certain cases, of Persons wilfully or maliciously damaging

“ or committing Trespasses on
 “ Public or Private Property—
 “ [15th July, 1820.]”

“ Whereas, it is *expedient* that
 “ a *more summary* mode than now
 “ by law exists, of repressing and
 “ obtaining *satisfaction for da-*
 “ *mages* to buildings, fences, land,
 “ growing crops, and other real
 “ and personal property, whether
 “ of a private or public nature,
 “ by wilful and malicious tres-
 “ passers and other wrongdoers,
 “ should be provided ; Be it there-
 “ fore enacted, by the King’s most
 “ excellent Majesty, by and with
 “ the advice and consent of the
 “ Lords spiritual and temporal,
 “ and Commons, in this present
 “ Parliament assembled, and by
 “ the authority of the same, That,
 “ from and after the passing of
 “ this Act, if any person or persons
 “ shall wilfully or maliciously do
 “ or commit any damage, injury, or
 “ spoil, to or upon any building,
 “ fence, hedge, gate, stile, guidepost,
 “ mile-stone, *tree, wood, under-*
 “ *wood, orchard, garden, nursery-*
 “ *ground, crops, vegetables, plants,*
 “ *land,* or other matter or thing
 “ growing or being thereon, or to
 “ or upon real or personal pro-
 “ perty, of *any nature or kind*
 “ *soever*, and shall be thereof con-
 “ victed within four calendar
 “ months next after the commit-

“ ting of such injury, before any
 “ justice of the peace for the
 “ county, riding, division, city,
 “ town or place where such of-
 “ fence shall have been com-
 “ mitted, either by the confession
 “ of the party offending, or by
 “ the oath of one or more credible
 “ witness or witnesses, or of the
 “ party aggrieved in the premises,
 “ which oath such justice is hereby
 “ empowered to administer; every
 “ person so offending, and being
 “ thereof convicted as aforesaid,
 “ shall forfeit and pay to the per-
 “ son or persons aggrieved, *such a*
 “ *sum of money as shall appear to*
 “ *such justice to be a reasonable*
 “ *satisfaction* and compensation
 “ for the damage or injury or spoil
 “ so committed, not exceeding in
 “ any case the sum of *five pounds*,
 “ which said sum of money shall
 “ be paid to the person or persons
 “ aggrieved ; but in case such con-
 “ viction shall take place on the
 “ sole evidence of the party ag-
 “ grieved, then and in such case
 “ such satisfaction and compen-
 “ sation shall be paid to the over-
 “ seer or overseers of the poor of
 “ the parish, township, or place
 “ where the offence was com-
 “ mitted, or if the conviction shall
 “ take place in *Ireland*, then such
 “ satisfaction and compensation
 “ shall be paid to the governor of

" the fever hospital or infirmary
 " of the county, city, town or place
 " where the offence shall have
 " been committed, to be by him
 " or them applied for the relief
 " and maintenance of the poor
 " thereof, or of the establishment
 " of fever hospital or infirmary;
 " and in default of payment of the
 " sum of money in which the of-
 " fender or offenders shall have
 " been so convicted as aforesaid,
 " immediately, or within such time
 " as the justice shall appoint at the
 " time of conviction, together with
 " all costs, charges, and expenses
 " attending the conviction, such
 " justice shall and may commit
 " such offender or offenders to the
 " common gaol or house of correc-
 " tion, there to be kept to hard la-
 " bour for any time not exceeding
 " three calendar months, unless
 " such penalty, costs, and charges
 " shall be sooner paid and satis-
 " fied: Provided always, that if
 " any such damage, injury, or
 " spoil shall have been done or
 " committed as aforesaid, to or
 " upon any church, chapel, bridge,
 " building, common way, or other
 " property whatsoever, whether
 " real or personal, of a public na-
 " ture, or wherein any public right
 " is concerned, it shall or may be
 " lawful to or for any such justice to
 " proceed against and convict the

" offender or offenders, within the
 " time aforesaid, and in the man-
 " ner aforesaid, in any sum not
 " exceeding five pounds, as to
 " such justice shall seem just and
 " reasonable, at the instance and
 " upon the information of any
 " person prosecuting such offen-
 " der or offenders, and so order
 " and direct one moiety of the
 " sum to be paid for such offence
 " to be paid to the person so pro-
 " secuting, and the other moiety
 " to and for the use of the poor of
 " the parish, township, or place
 " where the offence shall have
 " been committed; and in default
 " of payment of the sum in which
 " any such offender or offenders
 " shall have been so convicted as
 " aforesaid, together with all costs,
 " charges, and expenses attending
 " such conviction as aforesaid,
 " such justice shall and may com-
 " mit such offender or offenders to
 " the common gaol or house of
 " correction, there to be kept to
 " hard labour for any time not ex-
 " ceeding three calendar months,
 " unless such penalty, costs, and
 " charges shall be sooner paid
 " and satisfied.

II. " Provided always, and be
 " it enacted, That if any male per-
 " son or persons under the age of
 " sixteen years shall offend against

“ any of the provisions of this Act,
 “ it shall be lawful for the justice
 “ before whom he or they shall
 “ have been convicted, in default
 “ of payment of the sum of money
 “ awarded against him or them
 “ by the said justice, together with
 “ all costs, charges, and expenses
 “ attending such conviction, *im-*
 “ *mediately*, or within such time
 “ as the justice shall appoint at
 “ the time of conviction, *to com-*
 “ *mit such offender or offenders*
 “ *to the house of correction, there*
 “ *to be corrected and imprisoned,*
 “ *and kept to hard labour for any*
 “ *term not exceeding six weeks.*

III. “ And, for the more easy
 “ bringing of offenders against
 “ this Act to justice, be it further
 “ enacted, That it shall and may
 “ be lawful to and for any con-
 “ stable or other peace officer, and
 “ to and for the *owner or owners*
 “ of any property so damaged,
 “ injured, or spoiled, and to and
 “ for *his, her, or their servant or*
 “ *servants, or other person or per-*
 “ *sons acting by or under his, her,*
 “ *or their authority, and to and*
 “ *for such person or persons as*
 “ *he, she, or they may call to his,*
 “ *her, or their assistance, without*
 “ *any warrant or other authority*
 “ *than by this Act, to seize, ap-*
 “ *prehend, and detain any person*

“ or persons who shall actually
 “ have committed, or be in the
 “ act of committing, any offence
 “ or offences against any of the
 “ provisions of this Act, and to
 “ take him, her, or them before
 “ any justice of the peace for the
 “ county, city, or place where the
 “ offence or offences shall be com-
 “ mitted; and such justice is
 “ hereby empowered and required
 “ to proceed and act with respect
 “ to such offender or offenders, in
 “ manner by this Act directed.”

[The 3d, 4th, and 5th clauses relate to *form* and *mode* of proceeding.]

VI. “ And be it further enacted
 “ that nothing in this Act contained
 “ shall repeal or affect any act or
 “ acts now in force, whereby any
 “ person or persons may be sub-
 “ ject to punishment for wilful and
 “ malicious acts of trespass to any
 “ property, either public or pri-
 “ vate, or shall extend to any case
 “ of wilful or malicious mischief,
 “ or trespass to private property,
 “ in which the damage claimed
 “ shall *exceed the sum of five*
 “ *pounds*, or to any case wherein
 “ it shall appear to the satisfaction
 “ of the justice or justices before
 “ whom the complaint is made,
 “ that the party trespassing acted
 “ under a fair and reasonable sup-

“ position that he had a right to
 “ do the act to the property in
 “ respect whereof the trespass was
 “ committed or alleged to have
 “ been committed, or to do or com-
 “ mit the act complained of; or
 “ *shall have committed such tres-*
 “ *pass* IN HUNTING, or, *being*
 “ a QUALIFIED PERSON,
 “ and having duly obtained his
 “ certificate authorizing him to
 “ KILL GAME, *shall have com-*
 “ *mitted the injury complained of*
 “ IN THE PURSUIT OF ANY
 “ KIND OF GAME.”

Is it necessary, Sir, for me to say any thing about this Act? Look at the first clause, and look at the sixth! Look at the poor boy in the fourth clause, and look at the HUNTER and qualified game killer in the sixth! Let the Morning Chronicle find me, if it can, any thing to equal this, under any of those foreign governments of which it so glibly talks. Sir James MACKINTOSH has been for many years engaged in endeavours to *soften* the criminal code. The Acts that I have mentioned in this letter, these two Acts that I have inserted, at any rate, have actually been *passed*, since Sir James commenced his laudable endeavours. If Sir James ever made any opposition to these acts, all

that I can say is, that I never heard of it. Sir James has lately, at the dinner-fight in the city, talked about, “ *this classic ground of liberty!*” Now, Sir, let you and I follow Sir James in an imaginary excursion on this “ *classic ground.*” Let us suppose him taking a trip down to Knaresborough; and, after delighting his soul with contemplating the purity of that “ *classic*” spot, let us suppose him wandering out into the fields to regale his senses with the sweets of nature. Let us suppose him getting over the gate of a barley-field, in the month of September, the barley rather backward and not yet cut. Let us suppose him, tempted by a bunch of gay flowers growing amongst the barley, or lost in the pleasing hope of getting the laws against witches and wizards completely abolished: tempted by the gay cockle, or lost in a reverie of humanity, let us suppose him wandering from the gateway out into the barley-field. Let us suppose a good crusty farmer; coming up and seizing him by the throat, and begin to drag him towards a magistrate, having a stick in his hand and laying it on the feelosepher, if he attempt to resist. Sir James full of the idea

of the "*classic ground of liberty*," upon which the barley is growing, feels somewhat surprised at this; but what are his sensations when he sees Squire JOLTERHEAD gallop into the same field with his whole train of men and dogs, and Squire NUMSKULL coming in on the other side, with his pointers and his gun; what is SIR JAMES'S surprise when farmer CRUSTY tells him, that he has the power to seize poor Sir JAMES and take him before a magistrate, and make him pay the sixpenny worth of damages at once, and costs and charges, or to have him sent to jail and to hard labour for three months? But that, with JOLTERHEAD and NUMSKULL, *he has no such power*; that he cannot bring them before a magistrate even by *summons or warrant*; and that, if he get any redress at all from them, he must get it by ACTION AT LAW!

There would be a delightful scene for Sir JAMES to behold, what a happy illustration of his enchanting idea, of the "*classic ground of liberty*!" Who does not see the tendency of this law? Before this law there was punishment of some sort or other, for being any where on a game preserver's ground with gun, net,

wire, or dog of any sort. Here there is punishment, and if the party have not money actually in his pocket, *imprisonment and hard labour*, for being upon his ground by night or by day; for merely being upon it in your person, without dog, gun, net, wire, or any thing else. And, if I lose my way in the night, and am straggling across a field or a meadow, I am liable to be seized by the throat, in that classic field or meadow, and dragged before a magistrate; and if I resist I am liable to be beaten with impunity, though the damage I may have done may not, even according to the allegation of the prosecutor exceed in amount one single farthing!

But, mark, my readers; above all things mark the exception in the sixth clause of this Act. Look at the protection given to the damage-doing HUNTER. Look at the protection given to the damage-doing QUALIFIED GAME SHOOTER! Look also at the extent of damage. The *great wrongdoer*; he that does damage to more than the amount of five pounds, is not to be touched by this Act. He that may come with his horses and dogs, and actually destroy the crop in my only little field, is not to be proceeded

against in this summary manner. No justice of the peace is to have any power with regard to his wrong. I must commence my action at law against him ; that is to say, I must be ruined by law charges, before I can have a chance of obtaining any redress at all !

On such a subject, Sir, language fails us. If it were safe to do it, it would be impossible to express what every man ought to feel when such is the subject. I shall, therefore, say no more about it, but this : *God Almighty bless you, for having brought forward your Bill !* That is the Doctor : that will bring us back to something like what England formerly was. Stick to that Bill, and I shall not despair. What ! so careful about the hares, pheasants, and partridges ; so careful about tree, gate, stile, field, meadow, crop, plant, and twig ; and quite overlook the estate itself. Quite overlook the fee simple ! But, I will say no more : *God Almighty bless you, for your Bill ;* and let all the people say *Amen !*

I am, Sir,
Your most obedient,
Humble servant,

WM. COBBETT.

BOURBON WAR.

Hell upon earth. That is to say, the Stock Exchange of London, was all in commotion yesterday with the story about the *conspiracy* in the French army, which has been collected together for the invasion of Spain. It seems that the war minister, Marshal VICTOR, had set off for that army, and that another person had been appointed to act as war minister in his absence. These circumstances seem to have formed the foundation of the story about a conspiracy. We say *seem* ; for really there may be a conspiracy ; only we must have, before we believe in it, authority of quite another description than that of "*private letters*" to the jews and jobbers, who own the lying newspapers of London. That is the only authority upon which the story rests at present. Half a dozen soldiers' trulls conspiring against a biscuit bag, or a flagon of Eau-de-vie would be quite sufficient for these audacious liars to build a conspiracy in the French army upon. —The Old Times newspaper has, however, settled the whole matter. It has got the throne already taken

from LOUIS XVIII. Anna Brodie, who sent her soul much above half way to the devil, in her services performed for this same LOUIS. Who was for oversetting even the American government, lest it should endanger that of LOUIS, has fallen on upon the old boy with more fury than any of the rest; and she seems almost fainting with delight at the prospect of seeing him bundled into the street. The truth is, LOUIS' projects has marred ANNA'S speculations in Spanish Bonds; and she could, therefore, cut his throat as cheerfully as the Quakers could the throats of our Ministers, for having marred their speculations in corn.—With regard to the conspiracy, whatever our *wishes* may be, it never can be our *interest* to believe that to be true which is false. For our parts, we have no wishes with regard to foreign affairs, which do not connect themselves with our domestic affairs. We do not care a straw about the events on the Continent, except as those events may have an effect with regard to Gatton, Old Sarum, Knaresborough, Peterborough, Winchelsea, Calne and the like. If the prosperity of the Bourbons; if their success in Spain; if the extension of their power, if their triumph, *be it over whomsoever it may*; if these tend to the annoyance of the pretty things at Peterborough and Knaresborough, we wish for prosperity, success, and triumph to the Bourbons. In short, we wish success to any thing no matter what and no matter where, that will give annoyance to English boroughmongers; and though many others do not appear to see it, we think we can clearly perceive how the success of the Bourbons would annoy those boroughmongers. If, indeed, there were a *real conspiracy in the French army*, it might annoy the boroughmongers still more in the end; and, of course, we should be pleased to hear of the existence of such real conspiracy. But, as we said before, it never can be our interest to believe a lie. At present we believe this to be a lie; and though we know that it will meet the more readily with belief on that account, we only do our duty in expressing our opinions with regard to it. We are for not carrying our hopes too far; let who will be at war with one another, we, ourselves, are at war with nobody but our own boroughmongers. We know them well; and we know that the success of their old friends the Bourbons would at this time give

them dreadful annoyance. What they wish for with regard to France is, to see her feeble and miserable we, therefore, wish to see her strong and happy. We do not wish to see her in a state of agitation and decrepitude; because that would give them grounds for being saucy to us. Another revolution in France would, indeed, be worse for our boroughmongers than even the prosperity of France under the Bourbons; but, if we are to have any thing short of that, let us have the prosperity, the success, the exulting triumph of the Bourbons. We, for our parts, never wished for this Bourbon war. We wished for all to remain quiet upon the Continent while the PITT system of paper-money and cash payments was producing all its effects in this country. We wished for nothing to happen to give the System the smallest disturbance, and to furnish the boroughmongers and their agents with an excuse that might serve to cover their disgrace. However, we must take things as they come; and, thanks unto God be given, we have a DEBT; and that debt insures us some good to come out of every thing that can take place. Suppose things to go on without any disturbance whatever; then the

Normans are ousted; and that is a good thing. Suppose the interest of the debt to be reduced: that works the jews and jobbers; and it must work Gatton and Old Sarum, too. Suppose the French to triumph in Spain; that will pave the way to a constant hectoring on their part over us; and we should not wonder, if they were, at last, to demand a re-payment of the *tribute*, which we made them pay in 1815; aye, and payment for the *pictures* and *statues* into the bargain. They may do any thing as long as we have this debt; and we cannot touch the debt without tumbling down Gatton and Old Sarum; so that our pretty gentlemen must submit to the French, or give up Gatton and Old Sarum; and the French know very well that they would as lief give the eyes out of their head. After the French get into Spain and take possession of it for the benefit of France: when they are in complete possession of that country which it cost 180 millions of money to put them out of; when they shall be in complete possession of that country which we then called the outworks of England and Ireland, we will walk down Whitehall and Parliament Street, and just take a look at the faces of the fellows in blue

coats and leather breeches; those fellows that clapped their hands when the news arrived, that we had "*conquered France*." We shall like to see their faces at that moment. The last supposition is that there may be a refusal in the French army to march; and then there will certainly be *another revolution in France*. This would suit Gatton and Old Sarum very well, too. The blessed debt would keep our pretty gentlemen quiet, notwithstanding all their treaties and all their guarantees! They could not stir hand or foot without reducing the interest of the debt, or without coming to assignats; so that, let things take what turn they may, this blessed debt is our security, that our pretty gentlemen will never triumph again, unless they first give up Gatton and Old Sarum. And this is what we think about and care about a million times more than we think or care about Spanish Bonds. We cannot, however, quit this article without saying, that we see no ground for believing that there is any conspiracy in the French army; nor do we see any ground for believing that there is any thing like *general discontent* prevailing in France. We should not choose such a government as the French government is; but we say, that the French

people are *well off*; that they enjoy more freedom than any other people that we know of, a part of the Americans excepted; that agriculture is in a most flourishing state; that real property is widely distributed; that the farmers are in easy circumstances; that there is no want of employment amongst the labourers; that these are well fed and well clad; that there are no tithes in France; that there are no cruel and tyrannical game laws; that the election of Members to serve in the Chamber are not a vile sham and mockery; that the press, if not free, is not carried on by a combination of infamous jews and jobbers, and of base agents of persons in power: in short, we say, and we know, that the French people are well off; and that wheat at four shillings a bushel is not conveying the estates from the landlords and the capitals from the farmers. The *Morning Chronicle* has our *challenge* lying before it. We have challenged it to show that the French people are not more free than we are. It has a long time been talking about the despotism of the Bourbons. We have challenged it to the *detail*. We repeat our challenge; and, if it dare not accept this challenge; if it

cannot show that the French people are compelled to submit to such things *as we submit to quietly*, upon what ground does it presume that the French people desire the overthrow of the Bourbons; and especially upon what ground does it presume that the French people will rise against the government, merely because that government is about to undertake a war, which every good Frenchman must approve of; because he must see that the object of it is, to add to the *strength* and *security* of France? Very natural indeed for *us*, as the Duke of Fitz James observed; very natural for *us* to be discontented against the French government; very natural for good Englishmen; but just as unnatural for good Frenchmen.—Upon the whole, if there be discontents in France, we believe them to be confined to the political coffee-houses of Paris; to men who have been formerly in the army and who are now unemployed; to some few speculators in politics; but as to the great mass of the people, France is almost wholly agricultural; the state of agriculture there is *precisely the contrary of what it is here*, and surely nothing more need be said in admiration of it; and

this being the case, our belief is, that the people of France are not in a state of discontent with regard to their government. We, as we said before, *wish for any thing* that may tend to shake Gaton and Old Sarum. Another revolution in France would assuredly shake the two beautiful things to their very foundation. But the continued prosperity of France and the triumph of the Bourbons in Spain would shake them, too. At any rate, we are not to believe a thing because we wish it: to form correct opinions is our business; and, until we see much better evidence than the "*private correspondence*" of Anna Brodie and the "*City intelligence*" of the Morning Chronicle, we must continue to believe that there is no conspiracy in the French army; and that the people of France are not discontented with their government.

AMERICAN APPLE GRAFFS.

IN a few days I expect to have for sale a quantity of Apple Graffs, received from America. I have received some during the two last years; and I never had one that

did not grow well, if the stock were good. I have trees with very fine *bloom* coming from grafts imported the year before last. There are about seven or eight sorts, of the choicest of the American apples. I shall have more than enough for myself, and I intend to put them into parcels, about twenty cuttings in each, each cutting making a couple of grafts, and to sell the parcels for twenty shillings a-piece. To get them here costs some money, and to judge of the extent of the trouble, plague, vexation and torment of the thing a man must have had to do with an *English Custom-house*! I have not seen them yet; but they are come to Paddington by the canal from Liverpool. In spite of the precautions of myself and my friends, they may all be destroyed for any thing that I know to the contrary. I mention the matter here in order to prepare any persons that may have a mind to have any of them. I have also a large quantity of hickory nuts, black walnuts, butter nuts, acorns, pissimen nuts, cedar berries, gum tree seeds; and various other forest tree seeds; but, till I have seen and examined them, I cannot venture to say that I shall have any for sale; because they may be so much damaged that it may

be out of my power to answer for their growing. I shall have seen them, and examined them by about Tuesday next; and then I shall be able to say whether I have any for sale or not.

WM. COBBETT.

MARKETS.

Average Prices of CORN throughout ENGLAND, for the week ending 15th March.

Per Quarter.

	s.	d.
Wheat	47	2
Rye	26	4
Barley	32	5
Oats	20	7
Beans	27	5
Peas	32	5

Corn Exchange, Mark Lane.

Quantities and Prices of British Corn, &c. sold and delivered in this Market, during the week ended Saturday, 15th March.

	Qrs.	£.	s.	d.	s.	d.
Wheat ..	8,640	for	22,515	6	5	Average, 62 1
Barley ..	4,188	...	7,587	16	036 2
Oats ..	19,061	...	22,398	8	123 6
Rye	—	—	—	—	—	—
Beans ..	1,501	...	2,115	8	128 2
Peas	904	...	1,517	11	1133 6

SMITHFIELD, Monday, March 24.

Per Stone of 8 pounds (alive).

	s.	d.	s.	d.
Beef	3	6	to	4 4
Mutton	4	0	—	4 6
Veal	4	0	—	5 2
Pork	3	4	—	5 0
Lamb	0	0	—	0 0

Beasts ... 2,599 | Sheep ... 15,890
Calves 166 | Pigs 270

NEWGATE (same day).

Per Stone of 8 pounds (dead).

	s.	d.	s.	d.
Beef.....	2	4	to	3 4
Mutton.....	2	8	—	3 8
Veal.....	3	0	—	4 8
Pork.....	2	8	—	4 8
Lamb.....	0	0	—	0 0

LEADENHALL (same day).

Per Stone of 8 pounds (dead).

	s.	d.	s.	d.
Beef.....	2	2	to	3 6
Mutton.....	2	4	—	3 10
Veal.....	3	4	—	4 8
Pork.....	3	0	—	4 8

POTATOES.

SPITALFIELDS.—per Ton.

Ware.....	£ 3	0	to	£ 4 10
Middlings.....	2	0	—	2 10
Chats.....	2	5	—	0 0
Common Red..	3	0	—	3 10
Onions..0s. 0d.—0s. 0d.	per bush.			

BOROUGH.—per Ton.

Ware.....	£ 3	0	to	£ 4 10
Middlings.....	2	0	—	2 5
Chats.....	1	15	—	2 0
Common Red..	3	0	—	3 15
Onions..0s. 0d.—0s. 0d.	per bush.			

HAY and STRAW, per Load.

Smithfield.—Hay....	60s. to 84s.
Straw....	52s. to 58s.
Clover...	80s. to 90s.
St. James's.—Hay....	68s. to 84s.
Straw....	45s. to 66s.
Clover...	70s. to 87s.
Whitechapel.—Hay...	78s. to 90s.
Straw...	42s. to 60s.
Clover...	88s. to 100s.

City, 26 March, 1823.

BACON.

Our conjectures with respect to this article are verified: some of the holders have sold out; and

others have been compelled, in self-defence, to become the purchasers. This has, probably, prevented for the present, a very serious fall in price. As it is, the fall is full 12 per cent. since our last. The truth is, there is now no chance of successful speculation: the respectable part of the Cheesemongers set their faces against it; they bring goods enough for their own trade; and therefore are not compelled to become customers to the speculators; but, on the contrary, frequently compel the speculators to take their redundant stocks off their hands.—There is evidently a great alarm amongst the holders; and we have no doubt that any one inclined to buy, would be able to do so at many shillings per cwt. under the prices asked; so pressing are the holders to make sales. And our information from Ireland is such as to furnish a good ground for the alarm which is felt; for we can state positively that the supply of hogs in most of the Irish markets is very great, and the quality unusually fine. Prices asked, 33s. to 44s. on board; 35s. to 36s. landed.

BUTTER.

The arrivals of Dutch, and the prices at which it has been selling, have caused the demand for Irish to fall off. The late advance, if it has not added to the supplies, has materially checked the consumption.—Carlow, 90s. to 92s.—Waterford, or Dublin, 78s. to 80s.—Belfast, 84s. to 88s.—Newry, 78s. to 80s.—Dutch, 80s. to 84s.

CHEESE.

Double and Single Gloucester are scarce; the former at 60s. to 64s.; the latter at 54s. to 60s. Other kinds are plentiful enough: prices nominal.

Note.—In last Register, under the head Cheese, for “very many stocks,” read “very heavy stocks.”